REMARKS

Claims 1-73 were pending and stand rejected. Claims 1-73 have been canceled, and claims 74-121 have been added to more clearly define Applicants' invention. In addition, Applicants do not concede that the subject matter of the canceled claims was disclosed or taught by the cited references.

Following entry of the amendments, claims 74-121 will be pending and at issue. No new matter has been added, and the entry of these claims is respectfully requested.

INFORMATION DISCLOSURE STATEMENT

In the Information Disclosure Statement submitted on May 23, 2004, the reference listed as "2001/056418" should have been listed as "2001/0056418." A corrected Information Disclosure Statement is forthcoming, and consideration is respectfully requested.

SUMMARY OF SUBSTANCE OF INTERVIEW

Applicants' undersigned representative had a telephone interview with Examiners Alford Kindred and Helene Rose on September 21, 2006 to discuss the Office Action. Proposed claim amendments and the cited reference, Venkatraman (WO 01/13273 A2), were discussed. However, no agreement was reached with the Examiners.

The Examiners also raised other potential references that were not of record. Applicants will be sending an Information Disclosure Statement shortly that makes the discussed systems of record.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 3, 5, 39, and 41 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have canceled these claims. Applicants do not concede, however, that the

rejection under § 112 was appropriate. See MPEP § 2173.05(h). Applicants further maintain that the added claims 74-121 are patentable under § 112.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 1-73 were rejected under 35 U.S.C. § 101. Applicants have canceled claims 1-73. Applicants do not concede, however, that the rejection under § 101 was appropriate. Applicants maintain that the added claims 74-121 are patentable under § 101.

REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-25, 27-32, 35-61, 63-68 and 71-73 were rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable over Venkatraman. Applicants have canceled these claims. Applicants do not concede, however, that the rejection under § 102(b) was appropriate.

Applicants maintain that the added claims 74-121 are patentable under § 102(b). To advance the prosecution of this case, Applicants have addressed the arguments the Examiner made with respect to limitations from the canceled claims that are similar to those in the added claims.

Venkatraman discusses searching "for nodes of a stored data structure that satisfy a received search result." (Venkatraman, Abstract). However, Venkatraman fails to disclose the identification of several elements of the claims.

For example, Venkatraman does not discuss "automatically processing a plurality of articles to determine whether any article is a shopping article, wherein the plurality of articles contains at least one article that is not a shopping article" as recited, for example, in independent claims 74, 90, 120 and 121. As described in paragraph 18 of the Applicants' specification, in an embodiment of the invention, "[a] shopping document is a document that presents items for sale

and in which the items can be purchased through interaction with the document or related documents." (Specification, para. 18)

Venkatraman only provides background information about how "a Web page is conventionally formatted" and the basic operation of the Internet: a user makes a request from a server for a file. (Venkatraman, page 14, line 28 to page 15, line 4) This discussion simply does not disclose whether and how the determination is made that an article is a shopping article. Similarly, Figure 1D merely illustrates a conventional web page; Venkatraman does not discuss any determination of whether the web page is a "shopping article." Instead, Venkatraman only makes the conclusory statement, depicted as Block 100 of FIG. 7, that "an intermediary selects a Web site 32 on a computer network 34 from which to extract product information."

As another example of a missing element, Venkatraman fails to discuss "automatically determining a first attribute of the item from the first shopping article based on a structure of the first shopping article," as recited, for example, in independent claims 101, 120 and 121. Again, Figure 1D of Venkatraman merely illustrates a web page that contains certain information; it fails to show how a computer implemented method determines a first attribute, such as price. Rather, it only shows an example of a conventional listing of a price on a web page. Applicants further note that FIGS. 1A-1D and 2A-2B of Venkatraman describe "traditional" approaches to "exemplary menu browsing" and "keyword searches"; they do not discuss the ways in which any determinations are made to create the displays or the underlying information from which the web pages were generated.

In addition, Figure 10 of Venkatraman and its accompanying description on page 37, lines 15-31 only mention how the "illustrated slider widgets 86a-86e allow a user to change the displayed search results." Rather than "automatically determining a first attribute of the item

from the first shopping article based on a structure of the first shopping article," as recited, for example, in independent claims 101, 120 and 121, Venkatraman only shows how the display may be varied based on user input. Varying displayed results does not disclose how a first attribute of an item is determined from the first shopping article.

Further, on page 19, line 29 through page 20, line 4, Venkatraman discusses purchasing products from two separate web sites. This discussion provides no teaching of "automatically determining a first attribute of the item from the first shopping article based on a structure of the first shopping article," as recited, for example, in independent claims 101, 120 and 121.

Likewise, on page 24, lines 12-20, Venkatraman mentions the use of "proper word order... [to] help maintain proper usage of gender in user searches and in search results." Maintaining proper usage of gender does not suggest or disclose "automatically determining a first attribute of an item from the first shopping article based on a structure of the first shopping article," as recited, for example, in independent claims 101, 120 and 121. Venkatraman provides no indication of this element.

Venkatraman also lacks any discussion of the element: "determining a second attribute of the item from the first shopping article based on the first attribute," as recited, for example, in claims 97, 120 and 121. As an example, in Figure 2B, Venkatraman provides an illustration of a web page containing various numbers and words. Venkatraman simply does not show how a computer-implemented method determines a second attribute of an item based on the first attribute. The fact that a number or an image is displayed on a web page does not describe how a system determines whether it is a second attribute of an item based on the first attribute of the item.

Similarly, on page 24, lines 21-34, Venkatraman mentions a relationship between a "product category (or subcategory) 'pants' and a node associated with the product category (or subcategory) 'belts.'" However, this passage only discusses a relationship between nodes in the stored data structure: "A node 50 in a data structure according to the present invention may also have one or more relationships 59 with one or more different nodes in a data structure", wherein the "nodes" represent a "category" or "sub-category of products offered for sale at one ore more Web sites." (Venkatraman, page 24, lines 21-28). Thus, Venkatraman discusses a relationship between nodes (i.e. categories of products) in the stored data structure, not determining a second attribute of an item (e.g. an image) from the first shopping article based on the first attribute (e.g. a price) of the item.

Applicants further note that the above excerpt from Venkatraman discusses the relationship in the "stored data structure", rather than examining the "structure of the first shopping article", as recited, for example, in independent claims 101, 120 and 121.

The dependent claims variously depend from the above-discussed independent claims. Thus, the arguments presented above apply to these dependent claims as well.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 26, 33-34, 62, and 69-70 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Venkatraman in view of Chen. Applicants have canceled claims 1-73. Applicants do not concede, however, that the rejection under § 103(a) was appropriate. Applicants maintain that the added claims 74-121 are patentable under § 103(a) for at least the reasons set forth above, as Chen completely fails to remedy the above-mentioned deficiencies of Venkatraman.

Applicants respectfully submit that the pending claims are allowable over the cited art of record and request that the Examiner allow this application. The Examiner is invited to contact the undersigned to advance the prosecution of this application.

Respectfully Submitted,
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